
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

AHOUEFA DAHOUI,

Plaintiff,

v.

STATE OF UTAH; JOSEPH F. COTTIS;
GOLDEN CARE; UNIVERSITY OF UTAH;
BEST BUY; HHS ENVIRONMENTAL
SERVICES; SMITHS; WALMART;
SAVERS; WEST VALLEY CITY;
COSTCO; and SALT LAKE
INTERNATIONAL AIRPORT,

Defendants.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Case No. 2:23-cv-00749-JNP-JCB

District Judge Jill N. Parrish

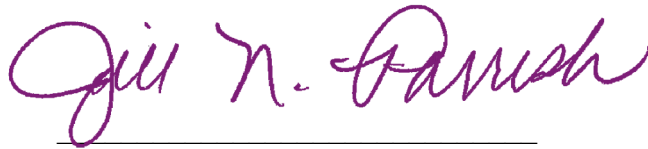
Plaintiff Ahouefa Dahoui (“Plaintiff”), proceeding pro se, sued the State of Utah and others (collectively, “Defendants”). Magistrate Judge Jared C. Bennett issued a report and recommendation that this court (1) deny Plaintiff’s motion to amend her complaint and (2) dismiss Plaintiff’s action for failure to state a claim upon which relief can be granted. *See* ECF No. 13. Judge Bennett notified the plaintiff that a failure to file a timely objection to the recommendation could waive any objections to it. *Id.* No objection was filed within the allotted time.

Because no party objected to the report and recommendation, any argument that it was in error has been waived. *See United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1060 (10th Cir. 1996). The court will decline to apply the waiver rule only if “the interests of justice so dictate.” *Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991). In determining whether the interests of justice require an exception to the waiver rule, the Tenth Circuit has “considered factors such as a pro se litigant’s effort to comply, the force and plausibility of the explanation for his

failure to comply, and the importance of the issues raised.” *Duffield v. Jackson*, 545 F.3d 1234, 1238 (10th Cir. 2008) (internal citation and quotation marks omitted). In this case, there is no indication that the interests of justice require it to deviate from the waiver rule. Thus, the court finds that all objections are waived and ADOPTS IN FULL the Report and Recommendation. Accordingly, Plaintiff’s motion to amend the complaint, ECF No. 11, is DENIED, and Plaintiff’s action is DISMISSED with prejudice for failure to state a claim upon which relief can be granted.

Signed August 12, 2024.

BY THE COURT

A handwritten signature in purple ink, reading "Jill N. Parrish", is written over a horizontal line.

Jill N. Parrish

United States District Court Judge